

Crime & Drugs

Addressing Overcrowded Correctional Facilities

SB2976 SD1 HD1 CD1

MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF PUBLIC SAFETY.

Appropriates \$300,000 to the Department of Public Safety to transport and house inmates at mainland correctional facilities.

Building Safe Communities

HB1113

RELATING TO DRIVERS' LICENSES.

This bill restores (1) Language regarding the illegal display or possession of a fictitious or fraudulent driver's license; and (2) Language regarding use of false or fictitious names in applications for driver's licenses, all of which language was inadvertently repealed by Act 224, Session Laws of Hawaii 2002, from section 286-131 Hawaii Revised Statutes.

HB2020 HD1 SD2 CD1

RELATING TO PROSTITUTION.

Creates a class C felony for the promotion by an individual or firm of travel sex tours.

HB2250 HD2 SD2

RELATING TO HABITUAL OPERATION OF A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT.

This bill corrects the statute to ensure that habitual DUI offenders pay a driver education assessment, pay for substance abuse or dependence treatment, and allows the courts to order an offender to reimburse the counties for the cost of blood or urine testing.

HB2251

RELATING TO CHAPTER 291E.

Amends the law pertaining to the offense of driving under the influence of an intoxicant (DUI) while a license has been suspended or revoked so that a prior DUI offense can be considered for the purpose of sentencing the individual as a repeat offender.

HB2674 HD1 SD1 CD1

RELATING TO IDENTITY THEFT.

Limits the possibility of identity theft by protecting individual social security numbers contained in public documents, by limiting the personal information club card issuers may require on applications, and by restricting the club card issuer's ability to share card holders' personal information with unaffiliated third parties, such as advertising agencies.

HB2683 SD1 CD1

RELATING TO DEFERRED ACCEPTANCE OF GUILTY PLEA AND DEFERRED ACCEPTANCE OF NOLO CONTENDERE PLEA.

Corrects a flaw in Hawaii's sentencing law which currently allows a person guilty of causing "substantial bodily harm" to enter a deferred plea or nolo contendere plea and subsequently apply to have their criminal record expunged.

HB2685

RELATING TO BAIL JUMPING.

Changes the offense of bail jumping in the first and second degree to require that a person knowingly fails to appear, instead of an intentional failure to appear.

SB2294 SD1 HD1

RELATING TO CRIMINAL TRESPASS.

Allows law enforcement officials to better protect public property including public housing, campgrounds, beaches, and other public areas. Charges an individual with criminal trespass in the second degree if the person enters or remains unlawfully upon the public property after receiving a written request to leave.

SB2377 SD1 HD1 CD1

RELATING TO PRIVACY.

Strengthens Hawaii's privacy law by prohibiting the use of mobile digital technologies, such as cell phones, to photograph a person in a stage of undress or a sexual activity without their consent.

SB2844 SD1 HD1**RELATING TO CRIME.**

Creates a new class C felony that would address the problem of recidivism involving property crimes. Under this bill a person who is convicted of three property crimes within five years of the first offense would be charged with a class C felony for a fourth or subsequent property offense.

SB2851 SD1**PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.**

Proposes an amendment to article I, section 10, of the Constitution of the State of Hawaii to permit prosecutors and the attorney general to initiate felony criminal charges by filing a written charge.

SB2861 SD1 HD2 CD1**RELATING TO CRIMINAL PROCEDURE.**

Allows certain class B and class C felony cases to be prosecuted without requiring witnesses to testify on multiple occasions. Allows the prosecutor or Attorney General to initiate felony criminal charges by filing written information.

Combating Substance Abuse

HB2004 HD1 SD1 CD1**RELATING TO THE ILLEGAL USE OF CONTROLLED SUBSTANCES.**

Appropriates \$14,702,419 for substance abuse prevention and treatment services. Appropriates \$9.5 million to DOH for substance abuse treatment and prevention. Also appropriates \$3.2 million to the Judiciary to expand the drug court. Other appropriations include grant-in aids to counties for community-based substance abuse programs and funding for the Weed and Seed Program. Uses \$13.3 million in general funds, \$1.15 million in Emergency Special Funds and \$300,000 in Environmental Special Funds to pay for these programs

HB2206 HD1 SD1**RELATING TO CONTROLLED SUBSTANCES.**

Creates a new section in the state's Uniform Controlled Substances Act that will assist law enforcement to identify methamphetamine labs by requiring manufacturers, wholesalers, and retailers to maintain records of certain precursor chemicals used to create methamphetamine. This bill also will assist in limiting the availability of this dangerous drug by limiting the sale of some of the precursor chemicals needed to manufacture methamphetamine. This bill also updates the controlled substance list to conform with federal regulations.

SB2748 SD1 HD2 CD1**RELATING TO DRUG DEMAND REDUCTION ASSESSMENTS.**

Expands the offenses for which an offender must pay the drug demand reduction assessment used to fund substance abuse treatment; requires that restitution and probation and crime victim compensation fees be paid before assessment; permits court to order offender to treatment and to reduce or waive monetary assessment.

SB2840 SD2 HD2 CD1**RELATING TO TOBACCO.**

Prohibits the distribution of untaxed cigarettes via telephone, mail order, the Internet, or other on-line sources to address the availability of low-priced cigarettes to underage smokers; revises provisions relating to the AG's seizure and confiscation authority; limits supersedeas bond amount for tobacco master settlement signatories to ensure their ability to continue to make settlement payments.

Protecting Our Most Vulnerable Populations

HB2254 SD1 CD1**RELATING TO CHAPTER 707, HAWAII REVISED STATUTES.**

Defines sexual penetration for criminal trial purposes. Makes it possible to charge individuals with the greater offense of sexual penetration (class A felony) rather than the lesser offense of sexual contact (class C felony).

HB2689**RELATING TO STALKING.**

Allows a case involving both stalking and domestic violence to be tried in the same court.

HB2789 HD1 SD1**RELATING TO SEXUAL ASSAULT.**

Proposes a constitutional amendment that would make it easier to prosecute cases involving a young child under age 14 who repeatedly suffered sexual abuse. Allows the Legislature to define sexual assault of a minor under 14 as three or more acts that a jury unanimously agrees occurred, regardless of whether the child can recall the specific dates and incidents.

SB2842 SD1 HD4**RELATING TO CHAPTER 846E, HAWAII REVISED STATUTES.**

Requires persons convicted of crimes involving child pornography to register as sex offenders as currently required by the Federal Government. Requires these offenders to register with the Attorney General and the county police where the offender resides and to report to the county police every five years.

SB2843 SD1 HD2**PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII.**

Proposes a constitutional amendment that would provide the public with expeditious access to information identifying sexual offenders. If ratified, this amendment would assist parents in protecting their children from known sexual predators. Also known as "Megan's Amendment."

SB2846 SD1 HD2**PROPOSING AMENDMENTS TO ARTICLE I, SECTION 14, OF THE HAWAII CONSTITUTION.**

Protects the privacy of sexual assault victims by proposing an amendment to Article I, Section 14, of the State Constitution that would permit the legislature to provide for the inadmissibility of privileged confidential communications between an alleged crime victim and the alleged victim's physician, psychologist, counselor or licensed mental health professional. Also known as "Rape Shield."
